

DIPLOMATIC AND CONSULAR RELATIONS

Privileges and Immunities

Agreement Between the UNITED STATES OF AMERICA and MEXICO

Effected by Exchange of Notes at
Mexico City November 9 and 14, 2012



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“ . . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

MEXICO

Diplomatic and Consular Relations: Privileges and Immunities

*Agreement effected by exchange of notes at Mexico City
November 9 and 14, 2012;
Entered into force November 14, 2012.*

No. 4169

The Embassy of the United States of America presents its compliments to the Secretariat of Foreign Relations and has the honor to propose to the Government of the United Mexican States that personnel participating in the Cargo Prescreening Pilot programs duly accredited by/or notified to the Government of the other Party in accordance with their respective internal procedures, as assigned to prescreening duties in the territory of the other Party, shall enjoy facilities, privileges and immunities equivalent to those accorded to consular officers by the Vienna Convention on Consular Relations of 1963, and will therefore not be amenable to the civil or criminal or administrative jurisdiction of the judicial or administrative authorities of the host state in respect of acts performed by them in the exercise of their official functions in furtherance of the Cargo Prescreening Pilot programs. Such treatment will only apply to personnel holding the citizenship of the sending State.

The Embassy of the United States of America has the honor to propose that, if the foregoing provisions are acceptable to the Government of the United Mexican States, they shall enter into force between the United States of America and the United Mexican States on the date of the Mexican Government's reply.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs the assurance of its highest consideration.

Embassy of the United States of America,

Mexico City, November 9, 2012



SSAN-1039

La Secretaría de Relaciones Exteriores saluda atentamente a la Embajada de Estados Unidos de América y se refiere a la Nota Diplomática 4169 del 9 de noviembre, mediante la cual propone la acreditación del personal participante en los Programas Piloto de Pre-inspección de Carga entre México y Estados Unidos.

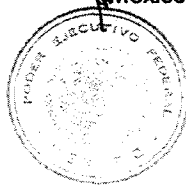
Al respecto, la Secretaría manifiesta su conformidad en que el personal que participe en los Programas Piloto de Pre-inspección de Carga y que sea debidamente acreditado y/o notificado por el Gobierno de la otra Parte, conforme a sus procedimientos internos y asignado a tareas de pre-inspección en el territorio de la otra Parte, goce de las cortesías, privilegios e inmunidades equivalentes a aquellas acordadas por la Convención de Viena sobre Relaciones Consulares de 1963, para los funcionarios consulares.

Por lo tanto, dicho personal no estará sujeto a las leyes civiles penales o administrativas aplicadas por las autoridades judiciales o administrativas del Estado receptor, en lo que respecta a los actos llevados a cabo por este personal en el ejercicio de sus funciones oficiales en el marco de los Programas Piloto antes señalados. Este trato sólo se aplicará al personal que posea la nacionalidad del Estado que envía.

La Secretaría tiene el honor de confirmar que las disposiciones propuestas por el Gobierno de los Estados Unidos son aceptables, y entrarán en vigor con esta fecha.

La Secretaría de Relaciones Exteriores aprovecha la oportunidad para reiterar a la Embajada de Estados Unidos de América el testimonio de su más alta y distinguida consideración.

México, D. F., a 14 de noviembre de 2012



**A la Embajada de
Estados Unidos de América
C i u d a d.**

Secretaría de Relaciones Exteriores
SUBSECRETARÍA PARA AMÉRICA DEL NORTE



TRANSLATION

SSAN No. 1039

The Secretariat of Foreign Relations presents its compliments to the Embassy of the United States of America and refers to diplomatic note No. 4169 of November 9 which proposes that personnel participating in the Cargo Prescreening Pilot programs between Mexico and the United States be accredited [*sic*—which contains a proposal regarding accredited personnel participating in the Cargo Prescreening Pilot programs between Mexico and the United States].

In this regard, the Secretariat agrees that personnel participating in the Cargo Prescreening Pilot programs who are duly accredited and/or notified by the Government of the other Party in accordance with its internal procedures and assigned to prescreening duties in the territory of that other Party, shall enjoy facilities, privileges, and immunities equivalent to those accorded to consular officers by the Vienna Convention on Consular Relations of 1963.

Therefore, these personnel shall not be subject to the civil, criminal, or administrative laws of the host State in respect of acts performed by them in the exercise of their official functions in the framework of the above-mentioned Pilot programs. Such treatment shall apply only to personnel holding the nationality of the sending State.

The Secretariat has the honor to confirm that the provisions proposed by the Government of the United States are acceptable and shall enter into force on this date.

[Complimentary close]

Mexico, D.F., November 14, 2012

[Initialed]

[Executive Branch stamp]

Secretariat of Foreign Relations
Office of the Undersecretary for North America

Embassy of the United States of America,
Mexico, D.F.